Supreme Court, U.S.
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No. 98-1160

In The

Supreme Court of the United States

October Term, 1998

SAUL NAVAS, ET AL.,

Cross-Petitioners,

v.

JANET RENO, ET AL.,

Cross-Respondents.

On Conditional Cross-Petition For A Writ Of Certiorari To The United States Court Of Appeals For The Second Circuit

REPLY BRIEF FOR THE CROSS-PETITIONERS

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For the reasons previously stated, conditional cross-petitioners, Navas and Henderson, oppose *certiorari*. In the event the Court grants review, cross-petitioners submit:

1. The government agrees that the instant cross-petition should be granted as well.

2. As the government suggests, the Court should "also grant plenary review in *Magaña-Pizano* [*v. INS*, No. 98-836] because the court of appeals in that case addressed the constitutional issues. . . . " Brief for the Cross-Respondents [Reno et al.] at 5-6 n.2, *Navas v. Reno*, No. 98-1160.

3. As the government suggests, the Court should hold the petition for *certiorari* in *Reno v. Goncalves*, No. 98-835, pending its decision in this case and *Magaña-Pizano*. *Id*.

4. In regard to the government's citation to *LaGuerre v. Reno*, Nos. 98-1954 & 98-2613, 1998 WL 912107 (7th Cir. Dec. 22, 1998), cross-petitioners inform the Court that the Seventh Circuit is currently considering a petition for rehearing and suggestion for rehearing en banc filed on January 22, 1999. On January 27, the court of appeals

issued an order requesting the government to file an answer to the petition by February 10.

Respectfully submitted,

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